

REMARKS

I. Status of the Application

At the time of the Action, Claims 1-18 were pending, Claims 19-36 having been withdrawn in response to a restriction requirement issued in an Office Action dated July 12, 2005. Claims 1-3, 8, 9, and 14-18 stand rejected under Section 102(b). Claims 4-7 and 9-13 stand rejected under Section 103(a). These rejections are addressed below.

II. The Section 102(b) Rejections

The Action rejects Claims 1-3, 8, 9 and 14-18 as anticipated under Section 102(b) based on U.S. Patent No. 4,187,618 to Diehl (Diehl). The Action states that Diehl discloses a felt having a set of fine top machine direction yarns and coarser bottom machine direction yarns interwoven with fine cross machine direction yarns in a plurality of repeat units. A non-woven batting overlies the top machine direction yarns. In citing these recitations of Claim 1, the Action points to Figure 5 and the Abstract of Diehl. Based on these findings, the Action concludes that Diehl anticipates the subject matter of independent Claim 1.

In response, Applicants assume that, in making the aforementioned findings, the Action is referring in Diehl to yarns 13 as top MD yarns, yarns 15 as bottom MD yarns, and binders 20 as cross machine yarns 20, as only binders 20 interweave with both the top and bottom MD yarns 13, 15 (CMD yarns 14 do not interweave with bottom yarns 15, and , thus, clearly would not meet the recitation of Claim 1 that the CMD yarns interweave with both the top and bottom MD yarns). Based on this assumption, Applicants respectfully direct the Examiner's attention to amended Claim 1, which now recites, in pertinent part, that "each of the fine cross machine direction yarns interweaves with both top and bottom machine direction yarns." This recitation is clearly absent from Diehl, as some of the CMD yarns of Diehl (namely, CMD yarns 14) interweave with only the top MD yarns 13. Inasmuch as Diehl fails to meet this recitation of Claim 1, it cannot anticipate Claim 1. Accordingly, Applicants respectfully submit that this rejection be withdrawn.

Applicants further submit that Diehl fails to suggest the recited subject matter. Nowhere does Diehl suggest a fabric in which each of the CMD yarns interweaves with the top and bottom MD yarns. In fact, Diehl refers to "warp yarns 13 and filler yarns 14" as comprising an interwoven fabric, and subsequently mentions "strands 15" being included and held in place with "binders 20." Diehl also states that the binders 20 "are spaced from each other a longitudinal distance which is preferably substantially greater than the corresponding spacing of the filling yarns"; **Figures 2 and 3** of Diehl illustrate twice as many CMD yarns 14 as binders 20 in the weave. As such, it is clear that Diehl does not suggest or teach a fabric in which all of the CMD yarns interweave with both top and bottom MD yarns.

Moreover, Claims 1-18 are directed to a felt for a fiber cement machine, whereas Diehl is directed to a press felt for a papermaking machine. The specification describes in some detail the fiber cement manufacturing process (*see* the specification at page 5, line 1 to page 6, line 2). In a typical fiber cement forming process, a fiber cement felt picks up fiber cement slurry, transports it over suction boxes, conveys the slurry through a nip, and delivers the nipped slurry, which is relatively thick in size, to a forming roll. In contrast, a press felt for a papermaking machine is typically in contact with the papermaking stock for much less time (ordinarily just when the relatively thin paper web travels through a nip press), and is subjected to extreme pressures. As such, a fiber cement felt experiences considerably different environmental conditions and has quite dissimilar performance parameters than does a papermaking press felt. For example, fiber cement felts typically employ coarse yarns that are an order of magnitude larger than those of a papermaker's press felt. Accordingly, Applicants respectfully submit that one skilled in the art of fiber cement felt design would not look to the teachings of Diehl, which are limited to papermaking press felts, for addressing issues in fiber cement making such as sheet quality.

In view of the foregoing, Applicants respectfully submit that the subject matter of Claim 1 defines over the disclosure of Diehl under the provisions of Section 103(a) also.

III. The Section 103(a) Rejections

The Action rejects Claims 4-7 and 10-13 under Section 103(a) based on Diehl in view of U.S. Patent No. 6,175,996 to Gstrein et al. (Gstrein). Gstrein is cited for the disclosure of specific yarn patterns, MD yarn sizes, and duplex and triplex fabrics, none of which are disclosed in Diehl. However, Gstrein is also directed to a papermaking press felt rather than a fiber cement felt. As such, its teachings are limited to papermaking and, as discussed above, are not pertinent to fiber cement felt manufacture. Consequently, Applicants respectfully submit that the rejections of Claims 4-7 and 10-13 under Section 103(a) be withdrawn.

IV. New Claims

Applicants have submitted new Claims 37-41 above for entry and examination. Claim 37 is directed to a fiber cement felt and recites, *inter alia*, that the set of top machine direction yarns includes upper and lower top machine direction yarns interwoven with the cross machine direction yarns, such that the felt is a triplex felt. Diehl is completely silent regarding such a configuration. Gstrein briefly mentions triplex designs for papermaking, but nowhere mentions such a design for fiber cement manufacture, and of course fails to mention in any manner the benefits that can be achieved with such a design. As such, Applicants submit that Claim 37 is free of the art of record. Claims 38-40 depend from Claim 37 and should similarly be patentable.

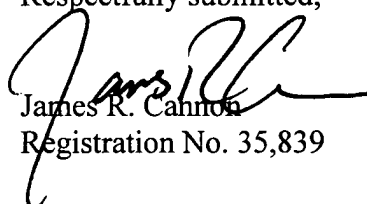
New Claim 41 is directed to a fiber cement felt and recites, *inter alia*, that the ratio of top to bottom MD yarns is between 3:1 and 5:1. These limits to the ratio are found, for example, in the embodiments of **Figures 6 and 7**. Neither Diehl nor Gstrein in any manner suggests this arrangement of top and bottom MD yarns. Accordingly, Applicants submit that Claim 41 is free of the art of record also.

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V. Conclusion

Inasmuch as all of the outstanding issues raised in the Action have been addressed, Applicant respectfully submits that the application is in condition for allowance, and requests that it be passed to allowance and issue.

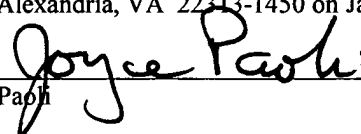
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